

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA**

BENJAMIN P. SALVIO, Individually and as :
Administrator of the Estate of JANINE M. :
TRAGESSER, Deceased :

Plaintiffs : CA No.: 2:11-cv-00553-TFM

v. :

ELECTRONICALLY FILED

AMGEN, INC., a Delaware corporation; :
IMMUNEX, INC., a wholly owned subsidiary :
of AMGEN, INC.; WYETH, LLC, a Delaware :
corporation; and PFIZER, INC., a Delaware :
corporation :

Defendants :

ORDER OF COURT

Upon consideration of Amgen Inc., Immunex, Inc., Wyeth, LLC and Pfizer Inc. (collectively referred to as Defendants) Motion to Dismiss Plaintiffs' 1st Amended Complaint, and the supporting and opposing memoranda submitted by the parties; and Benjamin P. Salvio, Individually and as Administrator of the Estate of Janine M. Tragesser, deceased Motion to Amend the Complaint, and supporting and opposing arguments, it is this day _____, 2011:

ORDERED that Defendants Motion to Dismiss Plaintiffs' 1st Amended Complaint is DENIED; and it is further

ORDERED that Plaintiffs Motion to Amend is GRANTED; and it is further

ORDERED that Plaintiffs' amended motion is to be filed on or before

_____, 2011.

SO ORDERED.

Terrence F. McVerry
United States District Court Judge